



BRB No. 17-0449 BLA
Case No. 2015-BLA-05343

CARLOS E. CASTLE)	
)	
Claimant-Respondent)	
)	
v.)	
)	
PRICE COAL COMPANY,)	
INCORPORATED)	
)	
and)	
)	
AMERICAN BUSINESS AND)	DATE ISSUED: 05/07/2018
MERCANTILE INSURANCE)	
)	
Employer/Carrier-)	
Petitioners)	
)	
DIRECTOR, OFFICE OF WORKERS')	
COMPENSATION PROGRAMS, UNITED)	
STATES DEPARTMENT OF LABOR)	
)	
Party-in-Interest)	ORDER

On April 9, 2018, the Board ordered the parties to show cause within ten (10) days of receipt of the Board's Order why this case should not be remanded for the administrative law judge to reconsider the substantive and procedural actions previously taken and to issue a decision on the merits accordingly. The Director, Office of Workers' Compensation Programs (the Director), responds that she does not object to the case being remanded, but notes that because the administrative law judge who decided this case has retired, the case will need to be assigned to another administrative law judge. Employer and claimant have not filed responses to the Order to Show Cause.

Upon consideration of the Director's position, we agree that under these circumstances the most expeditious course of action is to remand this case for a newly assigned administrative law judge to promptly reconsider the substantive and procedural actions previously taken and to issue a decision on the merits accordingly. 20 C.F.R. §802.405(a). Any party adversely affected by the administrative law judge's decision may file a new appeal with the Board within thirty (30) days of the date that the decision is filed with the district director. 20 C.F.R. §802.205.

Therefore, this case is remanded to the Office of Administrative Law Judges for further proceedings consistent with this Order.

JUDITH S. BOGGS
Administrative Appeals Judge

RYAN GILLIGAN
Administrative Appeals Judge

JONATHAN ROLFE
Administrative Appeals Judge